

REMARKS

Claims 1-32 are pending in the present application, with claims 22-29 and 32 having been withdrawn from consideration. Claims 1-4, 6, 14, 16-17, and 30-31 have been amended hereby, and claims 13, 15, and 21 have been cancelled, without prejudice or disclaimer.

It is respectfully submitted that no new matter has been presented and no new issues have been raised by the present response.

The undersigned would like to thank the Examiner for his time and assistance during the telephone discussion of May 29, 2007.

Objections to the Drawings

Figure 1 was objected to as not containing a legend such as --Prior Art--. A corrected drawing sheet and a version with markings to show changes made, each containing Figure 1 and a legend reading --(Prior Art)-- is submitted herewith, as required by the Office Action.

Rejections Under 35 U.S.C. § 101

Claims 1-21, 30, and 31 were rejected under 35 USC § 101 as allegedly being directed to non-statutory subject matter. The Office Action states that claims 1-21, 30, and 31 fail to

satisfy the second and fourth requirements for statutory subject matter eligibility because they are considered to be drawn merely to the production and/or manipulation of non-functional descriptive material, effecting no "useful, concrete, and tangible result." Further the Office Action states that claims 1-21, 30, and 31 fail to satisfy the third requirement for statutory subject matter eligibility because they are considered to preempt the underlying abstract idea. Applicants respectfully disagree.

The methods for increasing collections of the present application are implemented using a computer, as recited in amended independent claims 1, 14, 30, and 31.

Additionally, the methods for increasing collections of the present application recite:

- "calculating at least one additional commission rate payable to the collection entity for collection of the set of debt," as recited in amended independent claim 1;
- "selecting a compensation package from a plurality of compensation packages payable to a collection entity for the set of debt in accordance with the

approximate cost of debt collection, the duration of working, and the collection model of the at least one set of debt, wherein the selecting a compensation package selects one or more of a fixed profit package, a single commission rate package and a plural commission rate package," as recited in amended independent claim 14;

- "calculating a first commission ~~rates~~ rate and at least one additional commission rate payable to a collection agency for the set of charged off credit card accounts," as recited in amended independent claim 30;
- "selecting a compensation package from a plurality of compensation packages payable to a collection entity for the set of charged off credit card accounts in accordance with the approximate cost of charged off credit card account collection, the duration of working of the set of charged off credit card accounts, and the collection model of the set of charged off credit card accounts," as recited in independent claim 31;

- "determining a duration of working of the at least one set of debt," as recited in independent claims 1 and 14;
- "determining a duration of working of the set of charged off credit card accounts," as recited in amended independent claims 30 and 31;
- "approximating a cost of collection of the at least one set of debt," as recited in amended independent claim 1;
- "determining an approximate cost of debt collection," as recited in amended independent claim 14;
- "determining an approximate cost for collection of the charged off credit card accounts," as recited in amended independent claim 30; and
- "determining an approximate cost of charged off credit card account collection," as recited in amended independent claim 31.

It is respectfully submitted that the determining, calculating, and selecting steps, as recited in the independent claims and as set forth above, recite at least the production of "useful, concrete, and tangible" results, as also recited in the claims, and accordingly are directed to statutory subject matter under 35 U.S.C. § 101.

Withdrawal of the rejections under 35 U.S.C. § 101 is respectfully requested.

Rejections Under 35 U.S.C. § 102 and § 103

Claims 14-15, 18-21, and 31 were rejected under 35 U.S.C. § 102(a) as allegedly being anticipated by U.S. Patent No. 6,098,052 to Kosiba et al. (hereinafter "Kosiba"), incorporated by reference in the specification of the present application. Claims 1-13, 16-17, and 30 were rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Kosiba.

As understood by Applicants, Kosiba relates to a computerized collection strategy model for use in collecting payments from delinquent accounts. The computerized collection strategy model estimates how much will be paid on each account in response to that collection strategy for each possible collection strategy, estimates the amount of

resources to be expended in the execution of that collection strategy, and recommends a particular collection strategy for each account that optimizes the use of the available collection resources.

However, as understood by Applicants, Kosiba does not disclose or suggest teach or suggest every element recited in the independent claims of the present application, including at least:

- "determining a duration of working of the at least one set of debt," and "calculating at least one additional commission rate payable to the collection entity for collection of the set of debt, wherein the plural commission rates are calculated in accordance with the cost of debt collection, the duration of working of the at least one set of debt, and the collection model of the at least one set of debt; and the first commission rate and the at least one additional commission rate are effective at different times during the duration of working of the at least one set of debt," as recited in amended independent claim 1;

- determining a duration of working of the at least one set of debt," and "selecting a compensation package from a plurality of compensation packages payable to a collection entity for the set of debt in accordance with the approximate cost of debt collection, the duration of working, and the collection model of the at least one set of debt, wherein the selecting a compensation package selects one or more of a fixed profit package, a single commission rate package and a plural commission rate package," as recited in amended independent claim 14;
- "calculating a first commission rate and at least one additional commission rate payable to a collection agency for the set of charged off credit card accounts, wherein the first and at least one additional commission rates are ~~set~~ calculated in accordance with the cost of charged off credit card account collection, the duration of working of the set of charged off credit card accounts, and the collection model of the set of charged off credit

card accounts," as recited in amended independent claim 30; and

- determining a duration of working of the set of charged off credit card accounts," and "selecting a compensation package from a plurality of compensation packages payable to a collection entity for the set of charged off credit card accounts in accordance with the approximate cost of charged off credit card account collection, the duration of working of the set of charged off credit card accounts, and the collection model of the set of charged off credit card accounts, wherein the selecting a compensation package selects one or more of a fix profit package, a single commission rate package and a plural commission rate package," as recited in amended independent claim 31.

As understood by Applicants, Kosiba relates to a credit card collection strategy model, and discloses the optimization of the use of collection resources (see Kosiba, col. 1, lns. 51-60). The method of Kosiba groups consumers into a response category based upon a computed estimation of the consumers'

response to a particular collection strategy using factors such as consumers' payment history, date of last payment, and delinquency history (see id., col. 2, lns. 12-29). The consumers are thereby grouped with other consumers that are predicted to have a similar response to a collection strategy (see id.).

There is no disclosure or suggestion in Kosiba, however, of a determination of a model, a cost, and of a duration of working, and calculation of plural commission rates payable to a collection entity, wherein the plural commission rates are calculated in accordance with the cost of collection, the duration of working, and the collection model, as recited in amended independent claims 1 and 30.

Likewise, there is no disclosure or suggestion in Kosiba of determining a model, a cost, and a duration of working, and selecting a compensation package from a plurality of compensation packages payable to a collection entity for the set of debt in accordance with the approximate cost of debt collection, the duration of working, and the collection model of the at least one set of debt, as recited in amended independent claims 14 and 31.

Additionally, there is no disclosure or suggestion in Kosiba of the first commission rate and the at least one additional commission rate being effective at different times

during the duration of working of the at least one set of debt, as recited, for instance, in amended independent claim 1.

Accordingly, Applicants respectfully submit that independent claims 1, 14, 30, and 31 are patentable over the cited reference. Claims 2-13 depend from and further limit independent claim 1, and claims 15-21 depend from and limit independent claim 14, and therefore are also believed to be patentable over the cited reference at least by virtue of their dependency from patentable independent claims.

Withdrawal of the rejections of claims 1-21 and 30-31 is respectfully requested.

This communication is believed to be fully responsive to the Office Action and the application is believed to be in condition for allowance.

If a telephone conference would be of assistance in advancing prosecution of the present application, the Examiner is respectfully invited to contact the undersigned at the telephone number provided below.

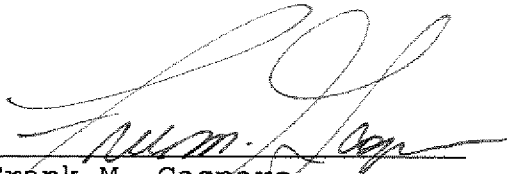
If any fee is due in connection with the present response, the Commissioner for Patents is hereby authorized to charge the requisite fee to our deposit account number 02-0393.

Prompt and favorable reconsideration is earnestly
solicited.

Respectfully submitted,

Date: June 8, 2007

By:


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